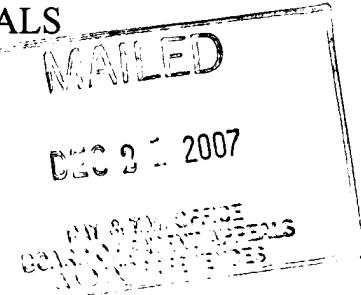


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DOMINIQUE HAMOIR

Application No. 09/856,362



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on December 10, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

On November 13, 2006, appellant filed an Appeal Brief. A review of the file reveals that claims 1, 11 and 24 in the appendix of the Appeal Brief are not consistent as amended in the Amendment filed on January 27, 2005. Appropriate correction required.

On September 14, 2007, the Examiner mailed a communication acknowledging receipt of Appellant's Reply Brief, dated April 9, 2007. A review of this communication reveals that the Examiner did not provide proper acknowledgment.

The comments made by the Examiner constitute a Supplemental Examiner's Answer.

In accordance with MPEP § 1207.05, all supplemental examiner's answers must be approved by a Technology Center (TC) Director or designee. The Communication mailed September 14, 2007, was not signed by the Technology Center Director or designee.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1) for correction of the Appendix;
2) either vacate the Supplemental Examiner's Answer mailed September 14, 2007, or revise the Supplemental Examiner's Answer by acquiring the Technology Center Director's approval on such;

- 3) have a complete copy of the revised Supplemental Examiner's Answer scanned into the record if applicable; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/dal

cc: SUGHRUE, MION, PLLC
2100 PENNSYLVANIA AVE. N.W.
SUITE 800
WASHINGTON, DC 20037